

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Examiner : Not yet assigned
Group Art Unit : Not Yet Assigned
Applicants : Leszek Wojnowski et al.
Application No. : 10/070,587 Confirmation No.: 7615
Filed : March 8, 2002
For : POLYMORPHISMS IN THE HUMAN CYP3A4 AND CYP3A7
GENES AND THEIR USE IN DIAGNOSTIC AND
THERAPEUTIC APPLICATIONS

New York, New York
November 26, 2002

Hon. Commissioner for Patents
P.O. Box 2327
Arlington, Virginia 22202

Attention: BOX PCT

EXPRESS MAIL CERTIFICATION

Express Mail Label No. EK708050364US

Date of Deposit: November 26, 2002

I hereby certify that this certification and the following papers:

1. Transmittal Letter (in duplicate);
2. Preliminary Amendment;
3. Response to Notification of Defective Response (in duplicate);
4. Paper Copy of Substitute Sequence Listing;
5. Computer Readable Format (CRF) of Substitute Sequence Listing;
6. Statements in Support of Substitute Sequence Listing and Substitute Computer Readable Form

Submission Under 37 C.F.R. §§ 1.821(f) and 1.821(g);

7. Copy of the October 1, 2002 Notification of Defective Response.
8. Petition for Extension of Time (in duplicate); and
9. Check in the amount of \$980.00.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Box PCT, Hon. Commissioner for Patents, P.O. Box 2327, Arlington, Virginia 22202.

November 26, 2002

Name: 

Christine S. Spence, Patent Attorney

VOS-30

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P.O. Box 2327
Arlington, Virginia 22202

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TRANSMITTAL LETTER

Sir:

Transmitted herewith: [X] a Response to Notification of Defective Response (in duplicate); [X] Petition for Five-Months Extension of Time; [X] a Check in the Amount of \$980.00; [X] a Preliminary Amendment; [X] a Paper Copy of the Substitute Sequence Listing; [X] a Computer Readable Format (CFR) of the Substitute Sequence Listing; [X] Statements in Support of Substitute Sequence Listing and Substitute Computer Readable Form Submission Under 37 C.F.R. §§ 1.821(f) and 1.821(g); [X] a Copy of the October 1, 2002 Notification of Defective Response to be filed in the above-identified patent application.

EK708050364US

FEE FOR ADDITIONAL CLAIMS

[X] A fee for additional claims is not required.

[] A fee for additional claims is required.

The additional fee has been calculated as shown below:

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	-	* =	X \$9.00 =	\$
INDEPENDENT CLAIMS	-	** =	X \$42.00 =	\$
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM			+ \$140.00 =	\$
* If less than 20, insert 20.			TOTAL	\$
** If less than 3, insert 3.				

[X] The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.27, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

EXTENSION FEE

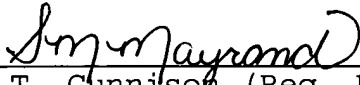
[X] The following extension is applicable to the Response filed herewith; [] \$55.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.17(a)(1); [] \$200.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.17(a)(2); [] \$460.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.17(a)(3); [] \$720.00 extension fee for response within fourth month pursuant to 37 C.F.R.

§ 1.17(a)(4); [X] \$980.00 within fifth month pursuant to 37 C.F.R. § 1.17(a)(5).

[X] A check in the amount of [] \$55.00; [] \$200.00; [] \$460.00; [] \$720.00; [X] \$980.00 in payment of the extension fee is transmitted herewith.

The Director is authorized to charge any additional fees that may be due, or credit overpayment, to Deposit Account No. 06-1075. A duplicate copy of this Transmittal Letter is enclosed.

Respectfully submitted,



Jane T. Gunnison (Reg. No. 38,479)
Attorney for Applicants
Shawn-Marie Mayrand (Reg. No. 48,986)
Agent for Applicants
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Fax.: (212) 596-9090

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November 26, 2002

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Attn: Box PCT

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Sir:

This is in response to the October 1, 2002 Notification of Defective Response (copy attached), issued in the above-identified application. Applicants have filed concurrently herewith a Petition and appropriate fee to extend the time for response to the May 10, 2002 Notice of Missing Requirements for five months, from July 10, 2002 up to and including December 10, 2002 and have paid the requisite fee [37 C.F.R. §§ 1.136(a) and

EK708050364US

1.17(a)(5)].

In accordance with the Notification of Defective Response dated October 1, 2002, applicants herewith submit:

a Preliminary Amendment;

a Paper Copy of a Substitute Sequence Listing;

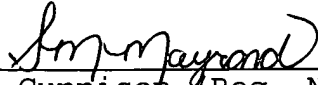
a Computer Readable Form (CRF) of the Substitute Sequence Listing;

Statements in Support of Substitute Sequence Listing and Computer Readable Form Submission Under 37 C.F.R. §§ 1.821(f) and 1.821(g).

A copy of the October 1, 2002 Notification of Defective Response is also enclosed.

The Director is hereby authorized to charge any additional fee that may be due, or to charge any overpayment, to Deposit Account No. 06-1075. A duplicate copy of this Reply is enclosed for that purpose.

Respectfully submitted,



Jane T. Gunnison (Reg. No. 38,479)
Attorney for Applicants
Shawn-Marie Mayrand (Reg. No. 48,986)
Agent for Applicants
c/o Fish & Neave
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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/070,587	Leszek Wojnowski	VOS-30

INTERNATIONAL APPLICATION NO.

PCT/EP00/08570

IA FILING DATE

PRIORITY DATE

09/01/2000

09/10/1999

1473
 FISH & NEAVE
 1251 AVENUE OF THE AMERICAS
 50TH FLOOR
 NEW YORK, NY 10020-1105

RECEIVED

OCT 08 2002

CONFIRMATION NO. 7615**371 FORMALITIES LETTER**

OC000000008880769

FISH & NEAVE, PATENT DEPT.

 REFERENCED TO
 NOTED BY

Date Mailed: 10/01/2002

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Request for Immediate Examination

DOCKETED FOR NOV. 1, 2002

Applicant's response filed 07/10/2002 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 05/10/2002 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of **ONE MONTH** from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

NO

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
- For Rules Interpretation, call (703) 308-4216
 - To Purchase Patent Software, call (703) 306-2600
 - For Patent Software Program Help, call (703) 306-4119 or e-mail at patin2help@uspto.gov or patin3help@uspto.gov
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

SHAKEEL AHMED

Telephone: (703) 305-3659

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/070,587	PCT/EP00/08570	VOS-30